

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SUSANNE SCHAFMEISTER,

Plaintiff,

v.

NYU LANGONE HOSPITALS and John
Kennedy, M.D., in his individual and
professional capacities,

Defendants.

Civil Case No.: 1:19-cv-11875(VSB)(DCF)

**STIPULATION OF
DISMISSAL WITH PREJUDICE**

WHEREAS, on November 18, 2019 Plaintiff Susanne Schafmeister (“Schafmeister”) was arrested and charged with Grand Larceny in the 2nd Degree in connection with conduct related to her unauthorized use of Dr. Kennedy’s check book and funds in the Criminal Court of the City of New York, County of New York matter of *The People of the State of New York against Susanne Schafmeister*, Docket No. CR-036794-19NY (the “Criminal Action”);

WHEREAS, on or around December 27, 2019, Schafmeister filed this action in the United States District Court for the Southern District of New York, styled *Schafmeister v. NYU Langone Hospitals and Dr. Kennedy*, No. 1:19-cv-11875 (VSB(DF)) (the “Action”), raising claims for, among other things, discrimination, retaliation, intentional infliction of emotional distress, defamation, breach of contract, breach of New York Labor Law, and promissory estoppel against Dr. Kennedy (collectively “Schafmeister’s Claims”);

WHEREAS, on or around April 1, 2020, Defendant/Counterclaim Plaintiff John G. Kennedy, M.D. filed an Answer with Counterclaims in this Action, denying Schafmeister’s Claims and raising counterclaims against Schafmeister for, among other things, conversion, unjust enrichment, breach of the duty of loyalty and fiduciary duty, and intentional interference with prospective economic advantage (the “Counterclaims”);

WHEREAS, on June 21, 2021, Schafmeister appeared before Judge Robert Rosenthal of the Criminal Court of the City of New York, County of New York (the “Criminal Plea Appearance”); and

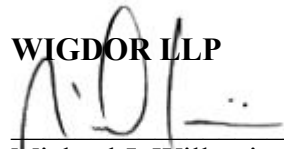
WHEREAS, during the Criminal Plea Appearance, Schafmeister plead guilty to the A-misdemeanor of Petit Larceny, Penal Law 155.25 with \$2,000 restitution to be paid to Dr. Kennedy and with a final limited order of protection.

IT IS HEREBY STIPULATED AND AGREED, that payment of restitution amount in the Criminal Action entered on the record at the Criminal Plea Appearance having been paid to Dr. Kennedy in full, Dr. Kennedy hereby dismisses his Counterclaims against Schafmeister in this Action with prejudice; and,

IT IS FURTHER STIPULATED AND AGREED, that this Dismissal with Prejudice may be executed in counterparts with electronic signatures considered as originals.

Dated: 9/27/2021

WIGDOR LLP



Michael J. Willemin
Renan F. Varghese
85 Fifth Avenue
New York, New York 10003
T: (212) 257-6800
F: (212) 257-6845
MWillemin@Wigdorlaw.com
Attorneys for Plaintiff Susanne Schafmeister

BLANK ROME LLP

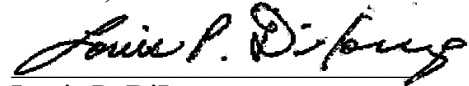
s/ Anthony B. Haller

Anthony B. Haller
Gregory P. Cronin
1271 Avenue of the Americas
New York, New York 10020
T: 215.569.5690
F: 215.832.5690
Haller@BlankRome.com
*Attorneys for Defendant/Counterclaim Plaintiff
Dr. John Kennedy*

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

No Objection, and Hereby Agreed:

BOND, SCHOENECK & KING PLLC

A handwritten signature in black ink, reading "Louis P. DiLorenzo". The signature is written in a cursive style with a horizontal line underneath it.

Louis P. DiLorenzo

Mallory A. Campbell

600 Third Avenue 22nd floor

New York, New York 10016-1915

T: 646.253.2315

F: 646.253.2301 Fax

LDilorenzo@bsk.com

*Attorneys for Defendant NYU Langone
Hospitals*